



U.S. Department of Justice

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BMR:TJS
F.#2005R00060

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March 21, 2005

By Hand and ECF

Honorable Nicholas G. Garaufis
United States District Judge
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Vincent Basciano
Criminal Docket No. 05- 0060 (NGG)

Dear Judge Garaufis:

The government is in receipt of two letters, dated March 18, 2005, regarding Vincent Basciano's conditions of confinement. Basciano is currently charged in two separate racketeering indictments, the first involving, among others, predicate acts of murder, murder conspiracy and solicitation of murder, and the second including a death-eligible murder that occurred on December 1, 2004, approximately 12 days after he was arrested and detained on his first case.

The above-captioned indictment makes clear that Basciano used any means available to violate the security of the MDC-Brooklyn so he could smuggle messages in and out of the prison regarding the ongoing operation of the Bonanno organized crime family of which he is presently the de facto leader. The indictment further provides that Basciano, while in custody, proposed the murder of a federal law enforcement official.

Given that ordinary incarceration has shown to be no deterrent to Basciano's leadership of an organized crime family, and his willingness to order an obstruction of justice murder from prison, the government believes that the Bureau of Prisons would be acting imprudently if they allowed Basciano to have less stringent conditions of confinement. By his own words, he has implicated himself in a death-eligible murder that took place, on his orders, following his incarceration. He has admitted on tape that he used a criminal defense attorney, a private investigator and a close relative to pass messages regarding the Bonanno family. Under

the circumstances that Basciano himself has brought about, the Bureau of Prisons is responding in the only responsible way.

Respectfully submitted,

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Encl.

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Warden Marvin Morrison